

REMARKS

Applicants acknowledge, with appreciation, the indication that claim 5 contains allowable subject matter. Claims 1, 3 and 6-19 are now pending, with claim 1 being the only independent claim. Dependent claims 2, 4 and 5 have been canceled. Claims 1, 3, 6 and 7 have been amended. Independent claim 1 has been amended to incorporate the subject matter of canceled intervening dependent claims 2 and 4, as well as canceled dependent claim 5 that was indicated to contain allowable subject matter. No new matter has been added. Reconsideration of the above-identified application, as herein amended, is respectfully requested.

Dependent claim 7 stands rejected under 35 U.S.C. §112, first paragraph for failing to comply with the enablement requirement. In response to this rejection, applicants have amended dependent claim 7 to clarify that “the conductive layer is arranged in the vertical direction of the semiconductor device in such a manner that the conductive layer is located in a node of the radiation field in the resonator of the vertical emitter region”. Support for this amendment may be found, for example, in Figs. 1-3 and at pg. 12, lines 23-27 of the specification as originally filed. No new matter has been added.

In accordance with the claimed invention, it is advantageous to position the conductive layer (13) in a node, i.e., an intensity minimum, of the radiation field in the resonator of the vertical emitter region (see pg. 12, lines 24-27 of the instant specification). Fig. 1 shows one example of a semiconductor device in which the radiation field (4) establishes the vertical direction of the device. Independent claim 1 recites that the pump layer (6) follows the vertical emitter layer in the vertical direction. The specification thus enables the skilled person to appreciate the conductive layer of dependent claim 7 is arranged along this vertical direction.

Dependent claim 7 thus complies with the enablement requirement of Section 112, first paragraph, and reconsideration and withdrawal of the rejection are therefore deemed appropriate.

Since dependent claim 5 was indicated to contain allowable subject matter, as noted previously, applicants submit that independent claim 1 as now amended is in condition for allowance.

Dependent claims 3 and 6-19 depend from independent claim 1 and are therefore allowable *at least* because the independent claim is allowable. No new matter has been added by way of this amendment.

The application is deemed to be in condition for allowance, and such action is respectfully requested.

Respectfully submitted,
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